

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 234

Introduced by Assembly Member Huffman

February 5, 2009

An act to add Chapter 5.6 (commencing with Section 25460) to Division 15 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 234, as amended, Huffman. Energy: water use and energy efficiency projects: federal stimulus funds.

Existing law establishes various programs to provide financial assistance to public and private entities to improve their energy efficiency.

This bill would require the State Energy Resources Conservation and Development Commission, as a part of the implementation of funding received ~~pursuant to~~ *under* the federal American Recovery and Reinvestment Act of 2009 *pursuant the federal State Energy Program and the federal Energy Efficiency and Conservation Block Grant Program*, to coordinate with the State Water Resources Control Board and local water suppliers on the planning and implementation of energy efficiency actions that can also result in water use savings. The bill would require that water and energy conservation programs and projects proceed only to the extent they do ~~no~~ *not* impair the commission's ability to meet the federal deadlines for expenditure of federal stimulus funds provided by the act *pursuant to the 2 specified federal programs*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.6 (commencing with Section 25460) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 5.6. WATER USE AND ENERGY EFFICIENCY
ASSISTANCE

25460. The Legislature finds and declares all of the following:

(a) The commission is expected to receive hundreds of millions of dollars from the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5) for energy related activities including energy efficiency programs and projects.

(b) Water use requires significant amounts of energy. Approximately one-fifth of the electricity and one-third of the nonpower plant natural gas consumed in the state are associated with water delivery, treatment, and use.

(c) Greenhouse gas emissions can be reduced if we move, treat, and use water more efficiently.

(d) The Public Utilities Commission and the commission have researched the energy saving potential associated with water use efficiency programs and with water management changes. Those studies can inform the administration and the Legislature on how state agencies can partner and cost share, and how local water suppliers' funding can be leveraged to maximize water and energy efficiency.

25460.5. For the purposes of this chapter, the following terms have the following meaning:

(a) "Board" means the State Water Resources Control Board.

(b) "Federal act" means the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(c) "Water supplier" means a local public agency or private company supplying or storing water, or a mutual water company.

25461. (a) As part of the implementation of the funding received by the commission under the federal act *pursuant to the federal State Energy Program and the federal Energy Efficiency and Conservation Block Grant Program*, the commission shall

1 coordinate with the board and local water suppliers on the planning
2 and implementation of energy efficiency actions that can also result
3 in water use savings. Coordination ~~can~~ may include, but is not
4 limited to, sharing information on areas to target, prioritizing
5 actions, and coordinating implementation and cost sharing.

6 (b) As a part of the guidelines otherwise developed by the
7 commission for administering energy and water efficiency actions
8 funded under the federal act *pursuant to the federal State Energy*
9 *Program and the federal Energy Efficiency and Conservation*
10 *Block Grant Program*, the commission, in consultation with the
11 board, shall establish criteria and priorities for partnering on
12 programs and projects that have both water and energy efficiency
13 benefits.

14 (c) Water use efficiency programs and projects that provide
15 sufficient energy savings to justify being funded under the federal
16 act *pursuant to the federal State Energy Program and the federal*
17 *Energy Efficiency and Conservation Block Grant Program* from
18 moneys allocated to the commission shall be eligible to receive
19 that funding.

20 (d) Water use efficiency programs and projects may also be
21 funded under the federal act *pursuant to the federal State Energy*
22 *Program and the federal Energy Efficiency and Conservation*
23 *Block Grant Program* from moneys allocated to the board, and
24 moneys from local water agencies.

25 (e) Water and energy conservation programs and projects shall
26 proceed only to the extent they do not impair the commission's
27 ability to meet the federal deadlines for expenditure of stimulus
28 funds from the federal act *pursuant to the federal State Energy*
29 *Program and the federal Energy Efficiency and Conservation*
30 *Block Grant Program*.

31 (f) *This section applies only to stimulus funds received under*
32 *the federal act pursuant to the federal State Energy Program and*
33 *the federal Energy Efficiency and Conservation Block Grant*
34 *Program.*

35 25462. *This chapter does not imply that spending energy*
36 *efficiency funds on water efficiency programs should be done with*
37 *nonstimulus, ratepayer funds.*